

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHARLES SWIFT,

Plaintiff,

vs.

ANGIE WILLIAMS, (Nebr. Family
Cooperative);

Defendant.

8:17CV331

**MEMORANDUM
AND ORDER**

On December 8, 2017, after conducting an initial review of the Complaint, the court ordered Plaintiff to file an amended complaint within 30 days or face dismissal of this action. ([Filing No. 11](#).) On December 12, 2017, Plaintiff filed an interlocutory appeal of the court's order on initial review. ([Filing No. 12](#).) On February 21, 2018, the Eighth Circuit Court of Appeals dismissed Plaintiff's appeal for failure to prosecute and issued a mandate. ([Filing No. 18](#); [Filing No. 19](#).) To date, Plaintiff has not filed an amended complaint or taken any other action in this matter.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this court's orders. The court will enter judgment by a separate document.

Dated this 28th day of February, 2018.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge